

CUSTOMER NO.: 24498
Attorney Docket No. PU030294
Date of Office Action: 06/23/2009

PATENT

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Remarks/Arguments

Claims 1-20 remain pending in the application. Claims 1, 9, 15-17 have been amended to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is believed to be added by the present amendment.

Claims 1, 9, and 15 have been amended to recite the feature, "*tuning, by the television apparatus, to a currently selected input source*" (claim 1 and 9) and similarly, "*means for tuning to a currently selected input source*" (claim 15). Support for the amendment is found, at least, in paragraph 9 and Fig. 4. Claims 16 – 17 have been amended to correct the claim's numbering scheme.

Rejection of claims 1-18 under 35 USC 102(e) as being anticipated by US 7,206,853 awarded to Eytchison (hereinafter "Eytchison").

Claims 1-18 stand rejected under 35 USC 102(e) as being anticipated by Eytchison. Applicant respectfully disagrees.

Amended claim 1 recites in part,

*"tuning, by the television apparatus, to a currently selected input source, ...
obtaining, by the television apparatus, responsive to said user request, content information from the selected peripheral device regardless of whether the selected peripheral device is the currently selected input source for the television apparatus"*

Eytchison does not recite the above-referenced tuning and obtaining steps. In contrast to amended claim 1, Eytchison describes a content location system or CLS, "*that allows access to specific content (e.g., movies or even a specific movie) which exists on a network of devices without a user needing to specifically access a device to retrieve content information*" (col. 7, lines 62 – 66). However, Eytchinson does not recite that the television apparatus is tuned to a currently selected input source and that the content information is obtained from the selected peripheral device regardless of the currently selected input source for the television. Accordingly, amended claim 1 is not anticipated by Eytchinson.

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For the same reasons stated above with respect to amended claim 1, amended independent claims 9 and 15 have several features similar to those of amended claim 1 discussed above, and therefore claims 9 and 15 are not anticipated by Etychinson for at least the same reasons as amended claim 1.

Claims 2-8, 10-14, and 16-18 depend from claims 1, 9 and 15, respectively, and incorporate by reference all of the features of their respective parent claim. Therefore, claims 2-8, 10-14, and 16-18 are not anticipated by Etychinson for at least the same reasons as amended claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection to claims 1-18 under 35 U.S.C. 102(e).

Rejection of claims 19 - 20 under 35 USC 103(a) as being unpatentable over Eytchison in view of USPGPUB 2005/0060641 (hereinafter "Sezan").

Claims 19 and 20 stand rejected under 35 U.S.C. 103(a) as unpatentable over Eytchison in view of Sezan (US 2005/0060641). Applicants respectfully disagree.

Sezan pertains to a technique where audiovisual information is presented to a user in a format, including the selection of content, suited to their particular viewing preferences (see paragraph 37).

"A user is not capable of watching or otherwise listing to the vast potential amount of information available through all, or even a small portion of, the sources of audio and video information...In light of the vast amount of audio, image, and video information, the present inventors came to the realization that a system that records and presents to the user audio and video information based upon the user's prior viewing and listening habits, preferences, and personal characteristics, generally referred to as user information, is desirable." (see paragraph 39).

The Examiner cites paragraph 63 – 65 as disclosing *"wherein the content information was obtained from PSIP data associated with the program data stream."* In particular, *"[i]n this application, the program description scheme may be readily available from many*

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services, such as: (i) from broadcast (carried by EPG defined as a part of ATSC-PSIP" (see paragraph 63).

However, as stated in paragraph 67, "[t]he description scheme fulfills the user's desire to have applications that pay attention and are responsive to their viewing and usage habits, preferences, and personal demographics" (see also Fig. 24).

First, claims 19 and 20 depend from allowable claims 8 and 15, respectively. Thus claims 19 and 20 incorporate by reference the features of claims 8 and 15, respectively, and are patentably distinguishable over Etychison for at least the same reasons as those given earlier for the allowability of those claims. Applicants submit that even if Sezan discloses the features as alleged by the office action, these features fail to cure the defect of Etychinson as applied to claim 8 and 15.

Additionally, applicants submit that one skilled in the art would not combine Etychinson and Sezan to produce the features recited in claims 19-20. The combination would produce content information based on a **predicted user's preference**. By contrast, claims 19 and 20, which incorporate the features of their respective independent claims, recite differently - "*a user request[s] to view content information.*"

Applicants respectfully request withdrawal of the rejection to claims 19 and 20 under 35 U.S.C. 103(a).

Conclusion

Applicants submit that for at least the reasons discussed above claims 1 – 20 are patentably distinguishable over Etychinson, Sezan, and any combination of these references.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

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It is believed that there are no additional fees due with regard to the filing of this response. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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